

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRAIDEN F. WILSON et al.,

Defendants.

CASE NO. 2:24-cr-00093-LK

STIPULATED PROTECTIVE
ORDER

This matter comes before the Court on the parties' Stipulated Motion for Entry of Protective Order. Dkt. No. 41. The Court, having considered the motion and the balance of the record, grants the motion and enters the following PROTECTIVE ORDER:

1. **Protected Material.** For purposes of this Order, "Protected Materials" shall include sensitive materials that disclose personal identifying information ("PII") obtained during the investigation, including but not limited to personal information about witnesses, victims, and third parties, and other sensitive information obtained during the investigation (collectively, the "Protected Material"). Any produced Grand Jury transcripts will be considered Protected Material without further designation by the Government. Other information believed by the Government

1 to be Protected Material will be so designated by the Government. Said material may include, but
2 is not limited to, *Giglio* impeachment materials.

3 **2. Production of Protected Material to the Defense.** The United States will make
4 available copies of the Protected Materials, including those filed under seal, to defense counsel to
5 comply with the Government's discovery obligations. Possession of copies of the Protected
6 Materials is limited to attorneys of record and investigators, paralegals, law clerks, experts, and
7 assistants for the attorneys of record (hereinafter collectively referred to as "members of the
8 defense team"). Further, the attorneys of record are required, prior to disseminating any copies of
9 the Protected Materials to members of the defense team, to provide a copy of this Protective Order
10 to members of the defense team and obtain their agreement to be bound by the terms and conditions
11 of this Protective Order.

12 **3. Review of Protected Material by a Defendant.** The attorneys of record and
13 members of a Defendant's defense team may share and review the Protected Material with a
14 Defendant. When a Defendant resides at the Federal Detention Center ("FDC"), they will be
15 permitted to review the Protected Material, consistent with the regulations established by the BOP
16 for such material, with or without his counsel in a controlled environment at the FDC, but will be
17 prohibited from printing out, copying, or disseminating the material. If a Defendant is on pretrial
18 release, he will be permitted to review the Protected Material at the office of his counsel, or via a
19 video conference call, but will be prohibited from printing out, copying, or disseminating the
20 material.

21 **4. Limits on Dissemination of Protected Materials.** The attorneys of record and
22 members of the defense team acknowledge that providing copies of the Protected Material to a
23 Defendant and other persons is prohibited and agree not to duplicate or provide copies of the
24 Protected Material to Defendant and other persons. This order does not limit employees of the

1 United States Attorney's Office for the Western District of Washington from disclosing the
2 Protected Material to members of the United States Attorney's Office, federal law enforcement
3 agencies, witnesses, and the Court. Nor does this order limit employees of the United States
4 Attorney's Office for the Western District of Washington from disclosing the Protected Material
5 to defense counsel as necessary to comply with the Government's discovery obligations.

6 **5. Future Production of Additional Protected Materials.** Additional types of
7 discovery items may be deemed by the parties to constitute Protected Material upon agreement, or
8 (if no agreement can be reached) by further order of the Court.

9 **6. No Waiver.** Nothing in this order should be construed as imposing any substantive
10 discovery obligations on the Government that are different from those imposed by case law and
11 Rule 16 of the Federal Rules of Criminal Procedure. The failure to designate any materials as
12 provided in paragraph 2 shall not constitute a waiver of a party's assertion that the materials are
13 covered by this Protective Order.

14 **7. Use of Protected Material in Court.** Any Protected Material that is filed with the
15 Court in connection with pre-trial motions, trial, or other matter before this Court, shall be filed
16 under seal and shall remain sealed until otherwise ordered by this Court. This does not entitle
17 either party to seal their filings as a matter of course. The parties are required to comply in all
18 respects with the relevant local and federal rules of criminal procedure pertaining to the sealing of
19 court documents.

20 **8. Non-Termination.** The provisions of this Order shall not terminate at the
21 conclusion of this prosecution. Furthermore, at the close of this case, defense counsel shall return
22 the Protected Material, including all copies of the Protected Material, to the office of the United
23 States Attorney, or otherwise certify that the material has been destroyed.

1 9. **Violation of Order.** Any person who willfully violates this Protective Order may
2 be held in contempt of court and may be subject to monetary or other sanctions as deemed
3 appropriate by this Court.

4 10. **Modification of Order.** Nothing in this Protective Order shall prevent any party
5 from seeking modification of this Order or from objecting to discovery that it believes to be
6 otherwise improper. The parties agree that in the event that compliance with this Order makes it
7 difficult for defense counsel to adhere to their Sixth Amendment obligations, or otherwise imposes
8 an unworkable burden on counsel, defense counsel shall bring any concerns about the terms of the
9 Order to the attention of the Government. The parties shall then meet and confer with the intention
10 of finding a mutually acceptable solution. In the event that the parties cannot reach such a solution,
11 defense counsel shall have the right to bring any concerns about the scope or terms of the Order to
12 the attention of the Court by way of a motion.

13 11. **Agreement to Provide Copies of Protected Material to Defendant.** Upon
14 agreement of counsel for the Government, members of a defense team may provide copies of
15 specific Protected Material, or redacted versions of such material, to a Defendant. When seeking
16 the Government's agreement to give such a copy to a Defendant, members of the defense team
17 will identify with reasonable particularity, including (where available) the specific bates numbered
18 pages and or recording descriptions, the specific material defense counsel proposes to give to a
19 Defendant. Unless expressly stated otherwise by the Government, copies of Protected Material to
20 be provided to a Defendant will continue to be Protected Material subject to all of the protections
21 of the Court's Order, with the sole exception that a copy can be given only to a Defendant (and
22 not shared with anyone else outside the defense team). If counsel for the Government and counsel
23 for a Defendant cannot reach agreement on whether particular portions of the Protected Material
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12. **No Ruling on Discoverability or Admissibility.** This Protective Order does not constitute a ruling on the question of whether any particular material is properly discoverable or admissible and does not constitute any ruling on any potential objection to the discoverability of any material.

Dated this 5th day of July, 2024.

Lauren King
United States District Judge